

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION
CORPORATION,

Plaintiff-Applicant,

v.

BERNARD L. MADOFF INVESTMENT
SECURITIES LLC,

Defendant.

Adv. Pro. No. 08-01789 (SMB)

SIPA LIQUIDATION

(Substantively Consolidated)

In re:

BERNARD L. MADOFF,

Debtor.

IRVING H. PICARD, Trustee for the Liquidation
of Bernard L. Madoff Investment Securities LLC,

Plaintiff,

v.

IRWIN LIPKIN, *et al.*,

Defendants.

Adv. Pro. No. 10-04218 (SMB)

**STIPULATION AND ORDER FOR VOLUNTARY
DISMISSAL OF ADVERSARY PROCEEDING WITH PREJUDICE**

Irving H. Picard (the “Trustee”), as trustee for the liquidation of the business of Bernard L. Madoff Investment Securities LLC (“BLMIS”) under the Securities Investor Protection Act, 15 U.S.C. §§ 78aaa, *et seq.* (“SIPA”), and the substantively consolidated estate of Bernard L. Madoff individually (“Madoff”), by and through his counsel, Baker & Hostetler LLP, and defendants Eric Lipkin and Erika Lipkin, individually, and in her capacity as parent and custodian of accounts held on behalf of her children, D.L., S.L., and C.L. (the “Lipkin Children,” and together with Eric Lipkin and Erika Lipkin, the “Defendants”), by and through their respective counsel, Filan LLC for Eric Lipkin and Finn Dixon & Herling LLP for Erika Lipkin and the Lipkin Children (collectively, the “Parties”), hereby stipulate and agree to the following:

1. On November 11, 2010, the Trustee filed and served the Complaint in which the Defendants, among others, were named as defendants.

2. Pursuant to the Settlement Procedures Order, entered by this Court on November 12, 2010 [Dkt. No. 3181], the Parties entered into a Settlement Agreement and Release on December 11, 2015.

3. Pursuant to the terms of the Settlement Agreement and Release, and in accordance with Federal Rule of Bankruptcy Procedure 7041(a)(1)(ii), and Federal Rule of Civil Procedure 41(a)(1), the Parties hereby stipulate to a dismissal with prejudice of the Trustee’s claims against Defendants in the above-captioned adversary proceeding (the “Stipulation”).

4. The provisions of this Stipulation shall be binding upon and shall inure to the benefit of the Parties and their respective successors and assigns and upon all creditors and parties of interest.

5. This Stipulation may be signed by the Parties in any number of counterparts, each

of which when so signed shall be an original, but all of which shall together constitute one and the same instrument. A signed facsimile, photostatic or electronic copy of this Stipulation shall be deemed an original.

Dated: January 6, 2016

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Securities LLC and the Estate of Bernard L. Madoff*

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*Attorneys for Defendants Erika Lipkin, individually,
and in her capacity as Custodian UGMA/NJ for
[C.L.], [D.L.] and [S.L.]; [C.L.], by and through
Erika Lipkin, parent and Custodian; [D.L.], by and
through Erika Lipkin, parent and Custodian; and
[S.L.], by and through Erika Lipkin, parent and
Custodian*

SO ORDERED

Dated: January 6, 2015
New York, New York

/s/Stuart M. Bernstein
HON. STUART M. BERSTEIN
UNITED STATES BANKRUPTCY JUDGE